

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
KHANG THIEN TRAN,)
Defendant.)

CASE NO. CR06-307 RSM

DETENTION ORDER

Offense charged:

Conspiracy to Distribute Marijuana, in violation of Title 21, U.S.C., Section
841(a)(1), 841(b)(1)(B), and 846.

Dates of Detention Hearing: October 24, 2006 and
October 30, 2006

The Court, having conducted a contested detention hearing pursuant to Title 18
U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention
hereafter set forth, finds that no condition or combination of conditions which the defendant
can meet will reasonably assure the appearance of the defendant as required and the safety
of any other person and the community.

The original detention hearing, scheduled October 24, 2006, was continued in order

1 to give Pretrial Services time to verify background information and give defense counsel an
2 opportunity to make possible living arrangements as an alternative to detention. The
3 Government was represented by Lisca Borichewski. The defendant was represented by
4 Karen Unger .

5 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

6 (1) There is probable cause to believe the defendant committed the drug
7 offense. The maximum penalty is in excess of ten years.

8 There is therefore a rebuttable presumption against the defendant's
9 release based upon both dangerousness and flight risk, under Title 18
10 U.S.C. § 3142(e).

11 (2) The defendant poses a risk of non appearance as his ties to the Western
12 District of Washington are limited, and relatives in Massachusetts, while
13 willing to receive defendant do not provide sufficient resources to ensure
14 the defendant's return to court.

15 (3) Due to the nature of the instant offense, defendant poses a risk of danger.

16 Based upon the foregoing information, it appears that there is no condition or
17 combination of conditions that would reasonably assure future Court appearances and/or
18 the safety of other persons or the community.

19 **It is therefore ORDERED:**

20 (1) The defendant shall be detained pending trial and committed to the
21 custody of the Attorney General for confinement in a correction facility
22 separate, to the extent practicable, from persons awaiting or serving
23 sentences or being held in custody pending appeal;

24 (2) The defendant shall be afforded reasonable opportunity for private
25 consultation with counsel;

26 (3) On order of a court of the United States or on request of an attorney for

1 the Government, the person in charge of the corrections facility in which
2 the defendant is confined shall deliver the defendant to a United States
3 Marshal for the purpose of an appearance in connection with a court
4 proceeding; and

- 5 (4) The clerk shall direct copies of this order to counsel for the United
6 States, to counsel for the defendant, to the United States Marshal, and to
7 the United States Pretrial Services Officer.

8 DATED this 1st day of November, 2006.

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12 MONICA J. BENTON
13 United States Magistrate Judge
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